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Clifford Chance Rogers & Wells LLP

Docket No. 5677/85

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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JUL 11 2002

In re Application of: Leo J. Romanczyk, Jr. et al.

TECH CENTER 1600/2900

Filed: December 10, 1999 Group Art Unit: 1626

Serial No: 09/459,171 Examiner: T. Solola

For: THE USE OF PROCYANIDINS IN THE MAINTENANCE OF VASCULAR HEALTH AND MODULATION OF THE INFLAMMATORY RESPONSE

AMENDMENT AND RESPONSE

Commissioner for Patents
Box: After Final
Washington, D.C. 20231

Sir:

In response to the Official Action mailed March 21, 2002, please enter the following Amendment and Response. No fee is believed due, however, if needed, the Commissioner is authorized to charge it to Deposit Account on file for this application.

Status of the Official Action

Applicants believe that the finality of this first Official Action on the merits was imposed in error since (i) prior art rejection of method claims 186-224, and (ii) obviousness-type double patenting rejections were imposed for the first time in the March 21, 2002 Official Action.